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6	Attorneys for Plaintiffs			
7				
8	UNITED STATES DISTRICT COURT			
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA			
10	DISTRICT COUNCIL 16 NORTHERN CALIFORNIA HEALTH AND WELFARE	Case No.: C0	9-3801 JSW	
11	TRUST FUND, et al.,	_	FOR CONTINUANCE OF	
12	Plaintiffs,		AGEMENT CONFERENCE R THEREON	
13	V.	Date: Time:	December 11, 2009 1:30 p.m.	
14	NOE MARTINEZ GARFIAS, individually and	Courtroom:	2, 17 th Floor	
15	dba GARFIAS FLOORING DESIGNS, aka GARFIAS FLOORING DESIGN, INC., a		450 Golden Gate Avenue San Francisco, CA 94102	
	California Corporation,	Judge:	Honorable Jeffrey S. White	
16	Defendant.			
17				
18	Plaintiffs respectfully request that the Case Management Conference currently scheduled for			
19	December 11, 2009, at 1:30 p.m., be continued for approximately ninety (90) days, as follows:			
20	1. A Complaint was filed in this action on August 19, 2009, and served thereafter, to			
21	compel an audit of Defendant's records by the Plaintiffs.			
22	2. Thereafter, Defendant did schedule an audit with the Funds' auditor, who has			
23	reviewed the necessary documents.			
24	3. The auditor is in the process of an	nalyzing the do	cuments for preparation of an audit	
25	report. After the report is completed, the auditor will send a draft copy to Defendant for review			
26	and response to the amounts found due, if any. In the event that the Defendant opposes the			
27	findings, the parties will attempt to resolve the matters through discussion, or further			
28	documentation.			

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1	4. If Defendant does not oppose the findings and pays any amounts found due				
2	Plaintiffs will dismiss the action.				
3	5. Therefore, there is nothing for the Court to consider at this time.				
4	6. Plaintiffs respectfully request that the Court continue the Case Management				
5	Conference for a period of ninety (90) days in order to allow sufficient time for the audit report to				
6	be completed, reviewed, and finalized, sent to Defendant for review, and resolution of any				
7	disputes between the parties.				
8	I declare under penalty of perjury that I am the attorney for the plaintiffs in the above				
9	entitled action, and that the foregoing is true to the best of my knowledge and belief.				
10	Executed this 4th day of December, 2009 at San Francisco, California.				
11	SALTZMAN & JOHNSON LAWCORPORATION				
12	LAWCORFORATION				
13	By:/s/				
14	Muriel B. Kaplan Attorneys for Plaintiffs				
15					
16					
17	IT IS SO ORDERED.				
18	The Case Management Conference in this action currently set for 1:30 p.m. on December				
19	11, 2009 is hereby continued to March 12, 2010, at 1:30 p.m.				
20	Dated: December 4, 2009 HONORABLE JEFFREY S. WHITE				
21					
22					
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1	PROOF OF SERVICE			
2	I, the undersigned, declare:			
3	I am a citizen of the United States and am employed in the County of San Francisco, Stat			
4	of California. I am over the age of eighteen and not a party to this action. My business address i			
5	44 Montgomery Street, Suite 2110, San Francisco, California 94104.			
6	On December 4, 2009, I served the following document(s):			
7	REQUEST FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE			
8	on the interested parties in said action by First Class U.S. Mail by placing a true and exact copy of			
9	each document in a sealed envelope with postage thereon fully prepaid, in a United States Pos			
10	Office box in San Francisco, California, addressed as follows:			
11	Noe Martinez Garfias, individually and dba			
12	Garfias Flooring Designs, aka Garfias Flooring Design, Inc. 4440 Bollenbacher Avenue Sacramento, California 95838 I declare under penalty of perjury that the foregoing is true and correct and that this			
13				
14				
15	declaration was executed on this 4th day of December, 2009, at San Francisco, California.			
16	declaration was executed on this 4th day of Beechiber, 2009, at San Francisco, Camorina.			
17	/s/			
18	Qui X. Lu			
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